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APPLICATION NO. 087997,677	FILING DATE 12/23/97	FIRST NAMED INVENTOR WALKER	DATE OF RECEIPT J	WALKER DIGITAL CORPORATION FIVE HIGH RIDGE PARK STAMFORD CT 06905-1326
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PM82/0709

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ISSING, G EXAMINER

3682 UNIT PAPER NUMBER

07/09/99

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
08/997,677

Applicant(s)  
Walker et al

Examiner  
Gregory C. Issing

Group Art Unit  
3662



☒ Responsive to communication(s) filed on Aug 7, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The drawings are objected to because in Figure 3, the drawing does not correspond to the disclosed specification since the signal direction from the communication port to the GPS receiver appears to be in error and since its main purpose is directional to the central controller 101.

Correction is required

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

a ) the invention was known or used by others in this country, or patented or described in a printed publication in foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hayasida et al.

Hayasida et al disclose the claimed system for providing navigational instructions including a communication port 1 for transmitting navigational instructions to a display and inputting destination information from a keyboard, a storage device 3 which stores files of various data for route guidance including map data and photograph data, and a processing means 4 for executing

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stored programs for route search operations and route guidance information. As the input device 1 comprises for example, touch switches or coordinate entry means for entering destination data, it is clearly anticipated, or in the alternative, obvious, to also enter a start address by the mere touching or entering of start coordinates. Hayasida et al also suggest that the input/output device be of remote control device. Furthermore, Hayasida et al disclose the placement of the map data and central processing device in an information source center or the like facility outside the vehicles and the provision of transmitter-receivers to communicate the destination or passing point inputted by the user or other data to the center and the route guidance information from the central station to the user.

5. Claims 2-3 and 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Nimura et al.

Nimura et al disclose the claimed navigation apparatus including a data processing controller (6) coupled to means (3) for inputting a departure point and a destination point, coupled to means (8) for outputting navigational instructions, and coupled to storage means for processing route data (11), storage means for storing geographical information (12), and storage means for storing photographic information (13) wherein the execution of the data processing means determines the present location of the vehicle, displays a course information map via the display and informs the driver of characteristic features along the way. The characteristic features include the photographic image data.

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, and 4-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Nimura et al in view of Ayanoglu et al.

Nimura et al teach the subject matter substantially as claimed as set forth above but fail to show the use of a remote central processing means, i.e., the claimed communication ports.

Ayanoglu et al teach that it is known in the art of vehicle navigation to alternatively store a plurality of databases at a central base station as opposed to on-board a vehicle, as well as the route determination at the central station wherein such map data and route information is communicated to the vehicle and thus minimizes the size and cost of the more numerous vehicle navigation devices. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Nimura et al by minimizing the size and cost of a vehicle navigation device by moving the majority of data storage and processing to a central base station which receives user information such as position and destination to search for a route and provide the desired route and map information to the user in view of the teachings of Ayanoglu et al.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wysocki et al also show the storage of georeferenced photographs for use in a vehicle navigation device.

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9. Any inquiry concerning this communication should be directed to Gregory C. Issing at telephone number (703) 306-4156.

  
GREGORY C. ISSING  
PRIMARY EXAMINER  
ART UNIT 3662